

Appln No. 10/069,915
Amdt date April 14, 2006
Reply to Office action of December 14, 2005

REMARKS/ARGUMENTS

This Amendment is submitted in response to the Final Office action of December 14, 2005. Claims 1-35 were pending in the application. Claims 1, 3, 9, 13, 20, 29, and 30 have been amended. Claims 2, 8, 10-12, and 18-19 have been canceled, with claims 36-39 previously canceled. Claims 40-63 have been added. As a result, claims 1, 3-7, 9, 13-17, 20-35 and 40-63 remain in the application.

Summary of Examiner Interview

Applicants wish to thank the Examiner for the courtesy extended to their attorneys Richard Jackson and Mark Garscia in a telephone interview conducted April 12, 2006. In the interview, claim 1 of the present invention was discussed, with emphasis on the language "wherein the at least one fixing node includes means for adjusting the position of the window frame relative to the fixing node and the assembly carrier about a longitudinal axis of the vehicle door." The Examiner and Applicants' attorneys discussed the interpretation of claim 1 and U.S. Patent No. 5,927,021 to Kowalski et al. No agreement was reached. /

Abstract

Applicants wish to thank Examiner for pointing out the minor errors in the Abstract. Applicants have amended the abstract in two instances to correct the errors according to the Examiner's suggestion. Applicant has also enclosed a replacement Abstract which incorporates the amendments.

Rejections Under 35 U.S.C. § 102 and 35 U.S.C. § 103

On Page 2 of the Office action, claims 1-11, 16-23, and 26-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,927,021 to Kowalski et al. On Page 3 of the Office action, claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,927, 021 to Kowalski et al. in view of U.S. Patent No. 6,139,088 to Okamoto et al. In light of the amendments to the application, Applicants respectfully request that the rejection be withdrawn.

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Allowable Subject Matter

The Examiner has indicated that claims 12-15 and 24-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 12 has been canceled herein and its objection is now moot. Claim 13 has been rewritten in independent form including all of the limitation of base claim 1 and any intervening claims and should now be allowed. Claim 14 should now be allowed because its base claim 13 is allowable. Claims 24-25 should now be allowed by virtue of depending on claim 1, which has been rewritten in allowable form, according to the below.

Independent Claim 1

Claim 1, as amended, incorporates all the terms and limitations of claim 12, which is canceled herein. Claim 12 was previously objected to as being dependent upon a rejected base claim, but would have been allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Since claim 1 now incorporates all the terms and limitations of the canceled claim 12, including those of intervening claim 10, also canceled herein, claim 1 is patentably distinguishable over Kowalski et al. Therefore, Applicants request that the rejection of claim 1 be withdrawn and that it be allowed.

Dependent claims 3-7, 9, 16-17, and 20-28 depend from claim 1 either directly or indirectly, and therefore they incorporate all the terms and limitations of claim 1 and additional limitations therein, which together further patentably distinguish them over Kowalski et al. Therefore, Applicants request that the rejection of claims 3-7, 9, 16-17, 20-23, and 26-28 be withdrawn, that the objection to claims 24-25 be withdrawn, and that claims 3-7, 9, 16-17, and 20-28 be allowed.

Independent Claim 13

Claim 13 has been rewritten in independent form including all of the limitation of base claim 1 and any intervening claims. Applicants therefore respectfully request that the objection to claim 13 be withdrawn and that it be allowed. Dependent claims 14-15 and 40-56 depend from claim 13 either directly or indirectly. New claims 40-44 correspond to claims 3-7,

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respectively, and have been rewritten to depend on claim 13. Claim 45 corresponds to claim 9, and also has been rewritten to depend on claim 13. Claims 46-47 correspond to claims 16-17, respectively, and also have been rewritten to depend on claim 13. Claims 48-56 correspond to claims 20-28, respectively, and also have been rewritten to depend on claim 13. Dependent claims 14-15 and 40-56 incorporate all the terms and limitations of claim 13 and additional limitations therein, which together further patentably distinguish them over Kowalski et al. Therefore, Applicants respectfully request that the objection to claims 14-15 be withdrawn, and that claims 14-15 and 40-56 be allowed.

Independent Claim 30

Independent claim 30, as amended, incorporates all the limitations of amended claim 1. For the reasons outlined above with regard to amended claim 1, Applicants respectfully request that the rejection of claim 30 be withdrawn and that it be allowed. Claims 29 and 31-35 depend directly or indirectly on claim 30 and incorporate all the terms and limitations of claim 30 and additional limitations therein, which together further patentably distinguish them over Kowalski et al. Therefore, Applicants respectfully request that the rejection of claims 29 and 31-35 be withdrawn and that they be allowed.

Independent Claim 57


New Claim 57 incorporates all the limitations of amended claim 13. For the reasons outlined above with regard to amended claim 13, Applicants respectfully submit that claim 57 is allowable. New Claims 58-63 depend directly or indirectly on claim 57. Claim 58 corresponds to amended claim 29, and has been rewritten to depend on claim 57. Claims 59-63 correspond to claims 31-35, respectively, and have also been rewritten to depend on claim 57. Claims 58-63 incorporate all the terms and limitations of claim 57 and additional limitations therein, which together further patentably distinguish them over Kowalski et al. Therefore, Applicants respectfully request that claims 58-63 be allowed.

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Concluding Remarks

Based on the foregoing remarks, it is submitted that the instant application is in condition for allowance. Applicants hereby respectfully request an early issuance of a patent with claims 1, 3-7, 9, 13-17, 20-35, and 40-63.

Respectfully submitted,
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